

PHILLIP A. TALBERT  
Acting United States Attorney  
ROSS PEARSON  
Assistant United States Attorney  
501 I Street, Suite 10-100  
Sacramento, CA 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ROLAND HEATHINGTON,  
  
Defendant.

CASE NO. 2:20-CR-00008-TLN  
  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER  
  
DATE: November 4, 2021  
TIME: 9:30 a.m.  
COURT: Hon. Troy L. Nunley

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on November 4, 2021.
2. By this stipulation, defendant now moves to continue the status conference until January 6, 2022, at 9:30 a.m., and to exclude time between November 4, 2021, and January 6, 2022, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes the discovery associated with this case includes approximately 60 pages of police reports, as well as the defendant's criminal history sheet, body camera videos, and photographs. All of this discovery has been either produced directly to counsel and/or made available for

1 inspection and copying.

2 b) Counsel for defendant desires additional time to review this discovery, investigate  
3 possible defenses or suppression issues, consult with his client, and negotiate a plea with the  
4 government. Since the last continuance, counsel for Heathington has discussed the case with  
5 Heathington and continues to communicate regarding a plea offer. However, due to a recent  
6 COVID outbreak in Sacramento County Jail, it has been difficult for her to communicate with  
7 him and more time is needed to review the discovery and discuss the discovery and the plea offer  
8 with her client.

9 c) Counsel for defendant believes that failure to grant the above-requested  
10 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
11 into account the exercise of due diligence.

12 d) The government does not object to the continuance.

13 e) Based on the above-stated findings, the ends of justice served by continuing the  
14 case as requested outweigh the interest of the public and the defendant in a trial within the  
15 original date prescribed by the Speedy Trial Act.

16 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
17 et seq., within which trial must commence, the time period of November 4, 2021 to January 6,  
18 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
19 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
20 of the Court's finding that the ends of justice served by taking such action outweigh the best  
21 interest of the public and the defendant in a speedy trial.

22 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
23 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
24 must commence.

1 IT IS SO STIPULATED.

2  
3 Dated: November 3, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

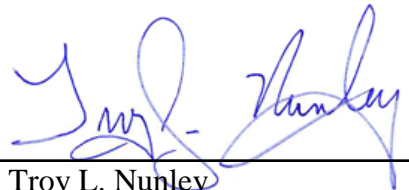
4  
5 /s/ ROSS PEARSON  
ROSS PEARSON  
Assistant United States Attorney

6  
7  
8 Dated: November 3, 2021

/s/ CHRISTINA SINHA  
CHRISTINA SINHA  
Counsel for Defendant  
ROLAND HEATHINGTON  
(Authorized by email on  
November 3, 2021)

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10  
11  
12 **FINDINGS AND ORDER**

13 IT IS SO FOUND AND ORDERED this 3<sup>rd</sup> day of November, 2021.

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Troy L. Nunley  
United States District Judge